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D. REMARKS

Specification

Applicants have amended the specification above to include the application serial numbers of the related cross-references.

Interview Summary

On November 23, 2004 at 3:00 PM EST, an interview was conducted via telephone between Amy Pattillo, Applicants' Representative, and Examiners Zhou and Cabeca. No exhibits were shown, nor demonstrations conducted.

First, Applicants' representative and the Examiners discussed claim 13, and in particular a proposed amendment to claim 13. Specifically, the prior art cited against claim 13 is Siddiqui et al. (US Patent 6,097,371). Applicants' representative proposed an amendment to claim 13 that would amend the third step to read "rotating a relative position of said particular displayable object within said z-order according to said rotation of said scroll wheel position while maintaining a remaining selection of said plurality of displayable objects in a same relative order within said z-order." In particular, Applicants' representative indicated the purpose of amending the claim would be to teach the example where if there are four elements, the third element may move up and down the z-order without rotating the elements. The Examiners responded that the proposed amendment still reads on the prior art because if the last object in the z-order were rotated to the top of the z-order, the effect would be to rotate the z-order of the objects. No agreement was reached with respect to claim 13. Applicant is filing this response for further review by the Examiner.

Second, Applicants' representative and the Examiners discussed claim 4, and in particular a request for clarification of the rejection of claim 4. Specifically, the prior art cited against claim 13 is Siddiqui et al. (US Patent 6,097,371). Applicants representative requested a clarification of whether the Examiner cites "predetermined amount of rotation" as teaching "the criteria for the z-order." The Examiner responded that the prior art teaches that a user can set the

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number of windows to be scrolled through for each rotation of the scroll wheel. Therefore, the Examiner clarified that the “number of windows per rotation” reads on “criteria”.

35 USC § 102(b)

Claims 1, 3-5, 7-9, and 11-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by Siddiqui et al. (US Patent 6,097,371) (hereinafter referred to as Siddiqui). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Furthermore the reference must be an enabling disclosure of each and every element as set forth in the claim. *In re Hoecksmas*, 158 USPQ 596, 600 (CCPA 1968); *In re LeGrive*, 133 USPQ 365, 372 (CCPA 1962). Applicants request allowance of claims 1, 3-5, 7-9, and 11-18 in view of the amendments and arguments hereafter.

Claims 1, 5, and 9

With respect to claims 1, 5, and 9, the Examiner cites Siddiqui as teaching the method, system and program of claims 1, 5, and 9, respectively. In particular, amended claim 1 currently reads:

1. (Currently Amended) A method for rotating a z-order level of a plurality of ordered displayable objects within a graphical interface, said method comprising the step of:

detecting a rotation of a scroll wheel position; [and]

rotating a z-order of a plurality of ordered displayable objects within a graphical interface according to said rotation of said scroll wheel position, wherein [such that] a z-order level of each of said plurality of ordered displayable

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objects is incrementally adjusted according to said rotation of said scroll wheel position; and

updating a graphically displayed table listing each of said plurality of ordered displayable objects to indicate a current position of each of said plurality of ordered displayable objects within said z-order.

In the rejection to claim 1, the Examiner cites Siddiqui as teaching "detecting a rotation of a scroll wheel position" at col. 2, lines 31-36 and col. 7, lines 1-11. [Office Action, p. 2] In addition, the Examiner cites Siddiqui as teaching "rotating a z-order of a plurality of ordered displayable objects within a graphical user interface according to said rotation of said scroll wheel position, such that a z-order level of each of said plurality of ordered displayable objects is incrementally adjusted according to said rotation of said scroll wheel position" at col. 2, lines 26-43. [Office Action, p. 2] In particular, col. 2 lines 32-37 read: "The device in the application is directed to a system that allows the third signals produced by rotation of the roller to scroll through and select one of several overlapping plys (i.e., windows), where at least one of the plys is fully capable of obscuring at least one of the other plys. Each of the several plys corresponds to a predetermined amount of rotation of the rotatable roller."

Applicants respectfully assert that while Siddiqui describes rotating all windows responsive to the rotation of a scroll wheel, Siddiqui does not teach updating a graphically displayed table that lists each of the displayable objects and indicates the current position of each displayable object within the z-order. In contrast, amended claim 1 includes an additional element of "updating a graphically displayed table listing each of said plurality of ordered displayable objects to indicate a current position of each of said plurality of displayable objects within said z-order." Thus, claim 1 teaches not only rotating the z-order of the actual displayable objects, but updating a graphical listing of each of the displayable objects. Applicants note that Figure 3 and page 15, lines 21-27 of the specification of the present application describe the

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graphically displayed table listing each displayable object and reflecting the current position within the z-order of each of the displayable objects.

In conclusion, because Siddiqui does not teach each and every element of amended claim 1, Applicants respectfully request allowance of amended claim 1. In addition, claims 5 and 9 are amended in a similar manner as claim 1, and therefore allowance of claims 5 and 9 is also requested because Siddiqui does not teach each and every element of amended claims 5 and 9.

Claims 2-4, 6-8, and 10-12

Claims 2-4, 6-8, and 10-12 are dependent on independent claims 1, 5 and 9. Claims 1, 5, and 9 are amended for allowance. Thus, Applicants first note that claims 2-4, 6-8, and 10-12 are dependent upon an allowable independent claim and request allowance of these dependent claims. Second, Applicants note that whether or not claims 1, 5, and 9 are allowable, claims 4, 8 and 12 are not anticipated and should be allowed.

Claims 4, 8, and 12

With respect to claims 4, 8, and 12, the Examiner cites Siddiqui as teaching the method, system and program of claims 4, 8, and 12, respectively. In particular, claim 4 currently reads:

4. (Original) The method for rotating a z-order level of a plurality of ordered displayable objects according to claim 1, said method further comprising the step of:

further adjusting said z-order of said plurality of ordered displayable objects according to a criteria for said z-order.

In the rejection to claim 4, the Examiner cites Siddiqui as teaching “further adjusting said z-order of said plurality of ordered displayable objects according to a criteria for said z-order” at col. 2 lines 35-43. [Office Action, p. 3] Col. 2, lines 35-43 reads: “Each of the several plys

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corresponds to a predetermined amount of rotation of the rotatable roller. A computer is responsive to the third signal to determine a user selected amount of rotation of the roller so as to scroll through and select a visually obscured ply with the predetermined amount of rotation that corresponds to the user's selected amount of rotation and thereby display a selected ply."

Further, the Examiner summarizes col. 2, lines 35-43 as teaching "rotating through the overlapped windows after receiving a signal from the roller and according to a predetermined amount of rotation." [Office Action, p. 3] During the telephone interview previously described, the Examiner further specified that the "criteria" is the "predetermined amount of rotation."

Applicants note that while the Examiner asserts that the "predetermined amount of rotation" is the "criteria for the z-order", claim 4 actually teaches "further adjusting" the z-order according to the "criteria for the z-order", which implies adjusting the z-order according to criteria for the z-order, in addition to the adjustment responsive to the rotation of the scroll wheel position. Applicants respectfully assert that col. 2, lines 35-43 actually teach that the "predetermined amount of rotation" corresponds to "the user's selected amount of rotation" that is applied when the z-order is adjusted responsive to the rotation of the scroll wheel position. Thus, where Siddiqui describes the "predetermined amount of rotation", the predetermined amount is described with respect to the adjusting the z-order responsive to the rotation of the scroll wheel position. Siddiqui does not teach further adjusting the z-order according to criteria other than responding to the rotation of the scroll wheel position. In conclusion, Applicants respectfully assert that Siddiqui does not teach each and every element of claim 4, and therefore respectfully request allowance of claim 4.

In addition, claims 8 and 12 are rejected under the same grounds as claim 4. Applicants respectfully request allowance of claims 8 and 12 for the same reasons as the allowance of claim 4.

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Claims 13, 15, and 17

With respect to claims 13, 15, and 17, the Examiner cites Siddiqui as teaching the method, system and program of claims 13, 15, and 17, respectively. In particular, claim 13 currently reads:

13. **(Currently Amended)** A method for controlling a z-order, said method comprising the steps of:

receiving a selection of a particular displayable object from among a plurality of displayable objects displayed within a graphical user interface in a z-order;

detecting a rotation of a scroll wheel position; and

rotating a relative position [z-order] of said particular displayable object within said z-order according to said rotation of said scroll wheel position while maintaining a remaining selection of said plurality of displayable objects in a same relative order within said z-order, wherein at least one of said remaining selection of said plurality of displayable objects remains in a same z-order position.

In the rejection of claim 13, the Examiner cites Siddiqui as teaching “rotating a z-order of said particular displayable object within said z-order according to said rotation of said scroll wheel position” at col. 2 lines 26-43. [Office Action, p. 3] In particular, the Examiner summarizes col. 2, lines 26-43 as teaching “using the roller to scroll through several overlapping windows; in scrolling through the plurality of overlapping windows, the z-order of the windows are adjusted; for example, as the user scrolls from the first overlapping window to the overlapped window beneath the most visible window, etc.” [Office Action, p. 3]

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Applicants respectfully assert that Siddiqui only describes rotating all the objects in a z-order, where each objects maintains a same relative position within the z-order in relation to the other objects, and all objects rotate. Siddiqui does not teach rotating a particular object, where the relative position of the object changes, but the remaining objects stay in the same relative order within the z-order. During the telephone interview, the Examiners noted an example, where if the last object were rotated to the front of the z-order, then effectively, all the objects in the z-order are rotated, as taught by Siddiqui. Applicants respectfully note that amended claim 13 includes a limitation of "while maintaining a remaining selection of said plurality of displayable objects in a same relative order within said z-order", and the limitation of "wherein at least one of said remaining selection of said plurality of displayable objects remains in a same z-order position" to further clarify that a single object rotates within the z-order, but not all the objects in the z-order rotate, and therefore Siddiqui does not teach amended claim 13. Applicants note that page 18, lines 1-11 provide support for the limitations added to amended claim 13.

In conclusion, Applicants respectfully assert that Siddiqui does not teach all the elements of amended claim 13, and therefore Applicants respectfully request allowance of amended claim 13. In addition, claims 15 and 17 are rejected for the same reasons as claim 13 and amended in a similar manner as claim 13, therefore Siddiqui does not teach all the elements of amended claims 15 and 17; Applicants respectfully request allowance of amended claims 15 and 17.

Claims 14, 16, and 18

Claims 14, 16, and 18 are dependent on independent claims 13, 15, and 17, respectively. Claims 13, 15, and 17 are amended for allowance. Thus, Applicants note that claims 14, 16, and 18 are dependent upon an allowable independent claim and request allowance of these dependent claims.

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35 USC § 103(a)

Claims 2, 6, and 10

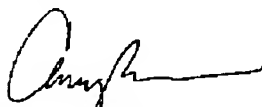
Claims 2, 6, and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Siddiqui in view of Hijikata et al. (US Patent 5,898,433). Applicants respectfully note that claims 1, 5, and 9, upon which claims 2, 6, and 10 are dependent, have been amended towards allowance, and therefore respectfully request allowance of dependent claims 2, 6, and 10 as dependent upon allowable base claims.

Conclusion

Applicants note the citation of pertinent prior art cited by the Examiner.

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims is respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment. Further, Applicants reiterate the request for a telephone conference with the Examiner at the Examiner's earliest convenience.

Respectfully submitted,

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